

PROB 12B

(7/93)

United States District Court

for

District of New Jersey

Request for Modifying the Conditions or Term of Supervision

with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Joseph Zalewski

Cr.: 2:08cr463-01

PACTS Number: 49036

Name of Sentencing Judicial Officer: Honorable Dennis M. Cavanaugh

Date of Original Sentence: 11/24/08

Original Offense: Conspiracy to Commit Theft of Government Funds

Original Sentence: 5 years probation, 4 months home confinement, drug testing/treatment, financial disclosure, no new credit, DNA testing, \$100 special assessment, \$24,839 restitution

Type of Supervision: Probation

Date Supervision Commenced: 11/24/08

PETITIONING THE COURT

To extend the term of supervision for _____ Years, for a total term of _____ Years.
 To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall refrain from the use of alcohol and shall submit to testing to ensure compliance. It is further ordered that the defendant submit to evaluation and treatment as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

CAUSE

Mr. Zalewski has a history of alcohol abuse which has included two arrests for Driving Under the Influence of Alcohol. In addition, he tested positive for alcohol use on February 18, 2009, when he arrived at the community corrections center at 9a.m. Mr. Zalewski has previously been in treatment for an alcohol addiction, however, he has been unable to refrain from the use of alcohol. An alcohol restriction condition would ensure that Mr. Zalewski will obtain needed treatment.

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Joseph Zalewski

Mr. Zalewski has indicated that he has been very anxious and would like to be seen by a psychiatrist. In order to refer Mr. Zalewski for an evaluation and monitor compliance with treatment recommendations, a mental health condition is recommended.

Respectfully submitted,

Dana Hafner
By: Dana Hafner

U.S. Probation Officer

Date: 12/9/08

JL

THE COURT ORDERS:

The Modification of Conditions as Noted Above
 The Extension of Supervision as Noted Above
 No Action
 Other

Dennis M. Cavanaugh
Signature of Judicial Officer

Dennis M. Cavanaugh
U.S. District Judge

3-19-09

Date

PROB 49

(3/89)

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall refrain from the use of alcohol and shall submit to testing to ensure compliance. It is further ordered that the defendant submit to evaluation and treatment as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

Witness: Dana Hafner
U.S. Probation Officer
Dana Hafner

Signed: Joseph Zalewski
Probationer or Supervised Releasee
Joseph Zalewski

2/20/09
DATE